

THE LEGISLATIVE PROCESS: MECHANICS AND PROCEDURES

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by

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At the outset of this paper, I want it understood that the observations I make have not been passed down to me from the Pope. They are the result of a number of years of dealing with the legislative process, and the opinions I express are entirely my own. Some of you naturally will have some reservations about some of the points in the paper; if you don't, I will be very disappointed. As in all areas of life, we win some and we lose some; we make mistakes from time to time, but on the other hand, we hit the ball out of the park on quite a few occasions.

I am not going to attempt to set down these observations in any rigid, sequential form. Some will be adaptable to our state divisions, some to our councils and affiliates, and some you will regard as "inoperative."

So, let us start out with this primer approach:

(1) The prime essential of any effective legislative work is a clear, precise knowledge of what you want. Working in the mental health field over the past twenty years, I was frequently astounded at the number of state and local mental health associations who would approach their national or state legislators

and ask them to vote for mental health. This reached a climax more than a decade ago, when the National Association for Mental Health promoted two records which never made the hit parade: "Sing Along for Mental Health" and "One, Two, Three for Mental Health." I just couldn't get myself in a position where I could go up to a Congressman or a state legislator and start singing for mental health when my major concern was hundreds of thousands of mental patients suffering in the back wards of our state mental institutions. Furthermore, many Congressmen would call me on the telephone, report that they had received a group of mental health constituents and would then ask me: "What the hell did they want? "

What they really wanted -- and needed -- were specific figures on the extent of the disease and, wherever possible, the exact designation of the legislation which they were being importuned to support.

(2) In order to create support for alcoholism legislation, there is absolutely no substitute for a strong legislative network extending from the national office of the NCA, through state divisions, and then to local councils and affiliates. Over the past few years, we have been increasing our impact upon the Congress and the state legislatures, but in all too many cases our efforts have been understandably sporadic. Letters come in to a busy Congressman's office, telephone calls are made, and other efforts are used. But what we need is a precise delineation of the mechanism for a coordinated legislative effort.

At the national level, we have the Public Policy Committee of the NCA. We try to wrestle with the major legislative issues, and we seek input from our local councils.

Much more is needed. First of all, we must have a state association in

all fifty of our states. This is the prime mechanism through which National can deal with the field and through which we can set up a two-way communications system because National, in its turn, desperately needs input and information from the grass roots.

I think all of us here today are delighted that the Board of Directors of the NCA has made one of its major thrusts the creation of these state associations. I had the privilege of attending a portion of the January meeting held in Washington where Marilyn Dimas, the Project Director, conducted a very thoughtful three-day seminar based upon an excellent document: "Standards of Excellence for NCA State Associations (Divisions)." There was vigorous input from many of our council representatives in response to this document, and this is the way it should be.

I am delighted to note that one of the mandated standards for a State Association is a Public Policy Committee. But the Committee cannot do the job alone. I am reminded of one of my favorite short two-liners:

"In all the towns and in all the cities
There are no monuments to committees."

The Public Policy Committee must, therefore, designate one person -- usually the Chairman -- as its legislative liaison. His responsibility is to keep abreast of all existing legislation, issues where legislation is needed but not being provided, and so on. He should also be designated as the liaison representative to the Public Policy Office in Washington. In other words, when we have to get moving and moving fast, he is the person who the Director of Public Policy calls, and he is the state transmission belt to all of the councils in the state association.

Let me give you an example. A gentleman by the name of Tom Pike has,

for more than a year, been involved in the setting up of a California Alcoholism Alert System. I have been getting his material since last May, and I think it is a beautiful prototype for the kinds of things we want our state and local associations and councils to do. I am thoroughly envious of the simple, forthright letters he writes to citizens all over the state. None of them smack of the bleeding-heart approach -- they are all right to the point and, at least from my point of view, make you want to join in right away. For example, in asking a group of 250 prominent citizens to join the California Alcoholism Alert, he wrote these beautiful lines in May, 1973:

"No money nor meetings will be required. We will bring to your attention specific content and rationale for letters to your representatives in Sacramento and Washington from time to time as circumstances require."

With this letter, there is a return postcard which says very simply:

"You may use my name and count on my voice to support the California Alcoholism Alert effort to maintain recent gains in state and Federal alcoholism programs because I care."

In a letter dated July 11, the California Alert notes that, although the state provided \$25 million for alcoholism in the Fiscal 1974 budget, it did not provide any new money. It urges all recipients to pour it on Sacramento to get desperately needed monies for expanded services. This is followed on September 14, 1973 by a letter informing all members of the Alert that, although S. 204, providing new services for alcoholism, has been passed by the legislature, there is still a major need for work on the Governor. The letter closes in this manner:

"The enclosed copies of my communication will suggest substance for your own letters and wires to the Governor and the Congressmen.

"Please raise your voices and sing out -- we need your decibels."

Lest I be accused of being a California chauvanist, I would like to say a word about the similar work of our own local council in Washington, D. C. From the time of its inception in 1958, it has taken on specific issues and gained, as a result, strong community and press support. It initiated the legal action resulting in the landmark Easter decision which made it illegal to jail an alcoholic for public drunkenness. It also played a key role in the passage of a 1967 bill which required alternative facilities for alcoholics other than the jail and the work farm. Because the District of Columbia has not implemented this legislation, the local council has gone back to Court with a suit demanding implementation. It pushed relentlessly and successfully for the first facility for women alcoholics in the District. It has recently put out an excellent publication, "The Coping Catalog," which lists every facility in the District and the surrounding suburbs which serves alcoholics and drug abusers.

But we must not rest on these few and isolated examples. We have to reach out beyond a parochial approach to the broad masses of citizens, most of whom still regard alcoholism as a failure of will power. We have to interest them, excite them and, above all, involve them.

Let me give you a few examples to illustrate this point:

Starting in 1945, when I began touring state mental institutions as a newspaperman, I could find little or no interest in the plight of the mentally ill, despite

the fact that our paper had published scores of articles, editorials, etc. It was as though we were talking about people from another planet. They could read about it, but involvement was another question. This indifference extended to state Governors and state legislators too.

While touring a horrible state hospital in Florida in 1949, the solution came to me. I went to see the Governor under the best possible auspices, and he expressed his sympathy, but I knew that he wasn't going to do a damn thing. In the next day's newspaper -- and on the front page -- I invited the Governor to accompany me on a tour of this madhouse, incarcerating more than six thousand patients. The Governor would have liked to refuse the invitation, but it was somewhat difficult, so we made the tour together, accompanied by some prominent state legislators, and the result was that he added two million dollars to the budget for the Department of Mental Health for that year.

I have never had a turndown on this kind of invitation, and from it I have developed a set of principles which I think apply directly to our councils. Here they are:

- (1) Form a local visiting committee made up of as diverse a group as you can find. Let them tour the facilities for alcoholics and then issue a report on conditions. You will be astounded at the public and press results you get from this kind of activity. After all, it is the community itself examining what is being done to a group of its own precious citizens.

In this White Paper, be as specific as possible. Follow a typical alcoholic through the revolving door, get hard figures on the court and jail costs, how many alcoholics are on the welfare rolls, etc. The newspapers pick this up like scarce newsprint.

(2) When this first step is completed, invite the state legislators to make the same kind of tour. Again, this seldom fails to produce two or three state legislators who immediately want to introduce a bill to reform the whole sorry mess. They are then involved -- it is not some bleeding-heart coming to them, but it is their own legislation. There is nothing more powerful than the human ego working at top capacity.

(3) Get over the idea that Congressmen, state legislators and county commissioners are doing you a favor by becoming involved in the problem of alcoholism. They are doing themselves a favor, and at rock-bottom prices. This country spent thirty-five billion dollars to send a man to the moon; it has spent seventy billion dollars since 1957 to build a network of interstate highways, some of which don't even connect with one another, but it has not yet grasped the reality of spending a few hundred million dollars to restore millions of people to productive, tax-paying status and the restructuring of their families.

(4) Get hold of a specific issue and push it hard. As the late great Father Devine used to say: "tangibilitate."

For example, we are now in a great national debate on the question of national health insurance. For decades, alcoholics have been excluded from coverage in most insurance policies. Form a small task force and include someone from the insurance industry and find out what your local Blue Cross/Blue Shield and commercial companies are doing in the way of coverage.

At the state level, we have the problem of the adoption of the Uniform Alcoholism and Intoxication Act of 1971. Many states have failed to pass this

legislation, or have watered it down to an alarming degree. Get together a task force on this and find out what the problems are. Emulate what Jane Hart did in Colorado in getting this legislation through. It is not an easy battle. I have talked to quite a few Governors and state legislators about this, and their fear is that passage of the legislation will mean considerable budgetary increases for the establishment of decent facilities in the community for alcoholics. This argument is specious, but it must be refuted factually. You must get together the facts of just what alcoholism is costing now in court costs, welfare costs, highway fatalities, etc. These are the hidden costs they don't see, and this is what you have to do.

In talking about various legislative mechanisms, we cannot over-emphasize the fundamental task of getting all elements of the community involved in what we are doing. The incidence of alcoholism sweeps across every community in a savage and widespread manner, but its toll is hidden so many times by those who mistakenly refuse to admit what it is doing to their families and to their institutions, including the schools, the courts, the hospitals, and so on almost ad infinitum.

In the draft memorandum on standards of excellence for NCA state associations, this is stated very well in the following terms:

"NCA and its component organizations should support the principle that the governance of local alcoholism councils, state associations and national components should be entrusted to bodies from diverse elements of the community. This is to include lay and professional persons and representatives from government, private enterprise and citizens."

Let me give you an example to illustrate what I mean: The Committee for National Health Insurance is only five years old, but early in our deliberations we decided that we would develop regional coalitions in the districts of every member of the House Ways and Means and the Senate Finance Committees. We had very little money to work with -- our total budget for this entire effort was approximately fifty thousand dollars. We succeeded in drawing into these coalitions an amazing number of organizations and individuals who theoretically have no primary investiture in national health insurance.

One of our most successful coalitions is in Little Rock, Arkansas, the home city of Wilbur Mills, Chairman of the House Ways and Means Committee. Arkansas is a conservative state, and we had very little to go on when we first made the attempt some three years ago. Yet, look what we have there today. The chairman of the regional group is a Presbyterian minister; the co-chairman is a chief assistant to Senator Fulbright. Other members include the Lieutenant Governor of Arkansas, the Prosecutor of Pulaski County (Little Rock), the state president of the Milk Producers Association and many others. The organizations which are members of the coalition include, among others, the National Council of Churches, the United Methodist Church, the union representing State, County and Municipal Employees, the National Urban League, the National Association of Social Workers, the National Council of Senior Citizens, the United States Catholic Conference, the AFL-CIO, the National Jewish Welfare Board, the National Farmers Union, the Amalgamated Meat Cutters, and many more which time does not permit me to list. This Arkansas coalition has, of course, a Legislative Committee, but in

addition to that it has a very strong Publicity Committee and a Letters to the Editor Committee, which has produced thousands of letters to Chairman Mills and his Congressional counterparts over the past three years. This last-named committee is headed by a distinguished woman attorney from North Little Rock.

What has this coalition accomplished in the brief period of its existence? First of all, it has moved Chairman Mills from a position of indifference to national health insurance to one of active interest in devising a satisfactory piece of legislation. The coalition has made national health insurance, which you must agree is not one of the sexiest issues in America, a powerful issue in the state of Arkansas. The largest newspaper in the state, THE ARKANSAS GAZETTE, has published more than a score of editorials over the past three years, urging Congressman Mills to support a broad health insurance bill with universal coverage. I will not venture the opinion that these thousands of letters and editorials caused my friend Wilbur Mills' back troubles, but I think they contributed to it.

In our own field, I was happy to receive on February 20 of this year, a communication from the National Society of the Volunteers of America, describing their efforts in the field of alcoholism, and asking to be placed on the mailing list for future issues of COMMENT. In less than five years, the Lexington, Kentucky Post of the Volunteers of America has opened ten half-way houses for alcoholics. In their latest report, the Kentucky Post notes that over the past four years its ten half-way houses for alcoholics have admitted 719 alcoholics and discharged 684 of them. The largest share of the cost of these half-way houses, approximately forty percent, comes from the clients themselves,

approximately thirty percent from state funds, and the remainder from several Federal staffing grants and voluntary contributions. What amazes me about the Kentucky experience is a whole batch of literature describing how you start up a half-way house for alcoholics, how you finance it and how you achieve the highest possible standards for its operation. There are separate publications on the cost of operating a half-way house, the average cost of meals served to the client, standards in the selection of a director of a half-way house, etc.

When we testified last September before the House Subcommittee on Public Health on the renewal of the Comprehensive Alcoholism Act of 1970, we followed this same important principle of involving as many organizations as possible in support of our position. These organizations included, in addition to the NCA and the ADPA, the following:

- U. S. Jaycees Foundation
- National Association of County Officials
- Association of Labor-Management Administrators and
Consultants on Alcoholism
- American Medical Society on Alcoholism
- AFL-CIO
- United Auto Workers International
- Education Commission of the States
- Council of State Alcoholism Program Directors
- American Indian Commission on Alcoholism
- Association of Half-Way House Alcoholism Programs of
North America
- National Congress of Parents and Teachers.

Along the same lines, we have not been aggressive enough in using volunteers, particularly the most effective volunteer -- the female of the species. How many of you know that there are currently three bills in the Congress giving recognition to these volunteers, not just through empty rhetorical praise but some measure of relief to their hard-pressed pocketbooks through allowing them a tax

deduction up to a certain ceiling for specified volunteer services? I note that a number of local mental health associations are pushing this endeavor, and I think it's our duty also to get behind the principles involved in these legislative measures.

There are so many ways in which our national office and our local councils can become more effective in bringing about this total community involvement. Again, turning to the Committee for National Health Insurance, which has a budget far lower than our own national budget, we supply our local regional coalitions with a handbook of speeches which we tailor to individual audiences at the grass roots. For example, we have sample speeches for insurance audiences, doctors, consumer and public interest groups, the elderly, trade unions, and even one for Rotary Clubs and the like. We also include in our speech packets sample questions which we think will be asked of speakers, myths and distortions about national health insurance, and so on. We urge the creation of speakers bureaus at the local level, and we agree to supply, wherever possible, speakers of national renown for regional conventions. Over the past few years, these have included more than a score of Senators and Congressmen, plus our most effective speaker -- the stage and TV star, E. G. Marshall. Over the past three years, E. G. has made more than one hundred speeches and I don't know how many hundreds of TV appearances on behalf of national health insurance. He takes no fee for any of these engagements.

The specific mechanics of reaching your Congressional, state or county representative are never as difficult as people tell me they are. I have been

puzzled by this for twenty-five years. He is returned to office by your vote, and there is nothing that terrifies him more than a voter who walks away from him.

Let us start with Congressmen in your district. Every Congressman has a local office, usually located in the federal building housing all other government agencies. This is where he works when he gets back in the district, which he is doing much more frequently of late, for whatever reasons I cannot fathom. In this local district office, there is always an administrative assistant who is placed there to deal with issues while the Congressman is in Washington. In the case of most Congressmen, this district legislative assistant puts on the teletype each night the number of people who visited the local office, the prominent issues they have raised, and then he forwards all letters to the Washington Congressional office for reply by the Congressman. It is important to be in relatively constant contact with the local staff. Get to know them -- take them out for lunch.

I suggest that every local council and every affiliate have a copy of the Congressional Staff Directory, which is put out annually by a former Congressman. It is invaluable in terms of what it contains. It lists, not only the Congressman's Washington address and his staff, but also the local district office and the staff. It also lists the counties and cities which he represents. It also contains biographies of key staff members of both Senators and members of the House of Representatives. The Congressional Staff Directory can be obtained by writing to the Congressional Staff Directory, Alexandria, Virginia. The cost is fifteen dollars.

The best opportunity for advocating our cause is a personal visit with the

Congressman when he is back in the district. He is away from the pressures of Washington, and he is on familiar turf.

One important point: try not to lecture at him and pound him over the head with the statement that yours is the most important problem in the entire universe. As I said to the American Psychiatric Association in a speech on the legislative process which I gave almost a decade ago:

"Be kind to your Congressman, even to the extent of buying him a lunch, and don't just talk at him -- listen to his reservations about increased taxes or whatever, and come up with some factual answers."

For example, the astounding figure of what this country spends on alcohol each year, the more than four billion dollars received by state and local governments in taxes on alcohol and the small amount, comparatively, that is spent for alleviation of this problem. If you cannot get hold of him in this way, the next best bet is a personally-written letter. A Congressman has to answer his mail, so there is an art in the way you write the letter. The best gimmick is to end the letter with a question or two, such as: "Will you let me know that you are supporting this legislation?" If you just write a Mickey Mouse letter asking him to support a certain bill, it goes into what we call the robotype deal -- practically every Congressional office has standard form-letter responses, and very few of them are yes or no. Usually they go like this: "I appreciate hearing from you on your views on alcoholism, and I will certainly keep them in mind when the issue comes up on the floor."

The delegation to Washington approach is another effective mechanism. Of course, it's much easier for those who are on the East Coast to come down to

Washington in a group to see their Congressmen. Because this could become a very expensive operation, the Committee for National Health Insurance has worked out a deal whereby we hire a bus and fill it up and then come on down and get the local constituents to see all of their own Congressmen.

Contrary to popular impression, Congressmen love to get pictured with their constituents. For example, get your Congressman surrounded on the steps of the House Wing of the Capitol and all of you get into the picture. Then take him down the steps and get all of you pictured together in front of a bus labeled, "Alcoholism Council of -----." One of the nicer fringe benefits of this is that the Congressman pays for the pictures and then sends them out personally to all of his constituents who have appeared. Even Mr. Mills did this when the Arkansas bus rolled in.

The techniques outlined above are equally applicable to state legislators and county commissioners. If you don't know your own state Senator or Representative -- which is pretty sad but fairly prevalent -- you can always get that information from the Clerk of the House or the Clerk of the Senate. Here again, it is best to see him on his home ground, although you have a much better opportunity geographically to get on a bus and go up to the state Capitol and get some nice pictures and press coverage.

The telephone is another technique. I am quite impressed by the work of several mental health associations in Maryland. They send out to all their members both the local numbers of the state legislators and the toll-free number to their legislator at the State Capitol in Annapolis.

Telegrams are also of some importance, although they are less effective than the other mechanisms outlined above. However, they are, contrary to some impressions, not to be discounted. There is somebody in the Washington office of a Congressman, for example, counting the number of telegrams; there is somebody out in his district office counting the number of telegrams, so you just can't dismiss this as another weapon in your artillery. If you can state your opinion in fifteen words or less, you can send a public opinion wire to your legislator for \$1.25. Very cheap.

I could spend several more hours talking about legislative mechanisms, but I don't want to empty this hall too fast. However, I have one final message in this long sermon, and that is the almost constant neglect of the press. Maybe my prejudice comes from the years I spent as a newspaperman, but if anybody had a good, factual story to tell me, it was raw meat for me. There are so many events that should be announced in a press release from the local council, but they are not. In that connection, I am very proud of the public relations work of our Washington Council. Of course, the Easter decision received wide coverage, but then in subsequent years there have been hard-hitting articles on the opening of the first alcoholism facility for women, the legal suit against the District of Columbia for not carrying out the provisions of the 1967 Hagan law, and so on. Wherever possible, stage events to call the media and public attention to what you are doing. For example, our local District of Columbia Council on April 21 sponsored the first benefit performance of the award-winning musical, "Don't Bother Me, I Can't Cope" in connection with the recent publication of "The Coping Catalog" which they produced. The Washington Area Council on Alcoholism and Drug Abuse re-

ceived considerable amount of TV and newspaper coverage on this event.

In simple terms, get to know the newspaper and TV people. They are good guys and with the increase, particularly on television, of local news, the opportunities are fantastic. I only emphasize this again and again because that's how you are going to get a great amount of this story out to the people, and you have to show some initiative in developing these stories. And don't forget -- most Congressmen and state legislators are able to read or, if not, they look at the tube. Now -- having done all of this and more -- go to the church of your choice and pray.